

criteria outlined in paragraphs (d) (2) and (3) of this section.

(5) The Commission will not screen applications to determine whether advance consultation has taken place. However, applicants are advised that such consultation can avoid objections from the Federal Communications Commission or modification of any authorization which will cause harmful interference.

[28 FR 12506, Nov. 22, 1963, as amended at 44 FR 77176, Dec. 31, 1979; 48 FR 52737, Nov. 22, 1983; 61 FR 8477, Mar. 5, 1996]

#### § 5.68 Cancellation provisions.

The applicant for a station in the Experimental Radio Services accepts the license with the express understanding: (a) That the authority to use the frequency or frequencies assigned is granted upon an experimental basis only and does not confer any right to conduct an activity of a continuing nature; and (b) that said grant is subject to change or cancellation by the Commission at any time without hearing if in its discretion the need for such action arises.

[28 FR 12506, Nov. 22, 1963, as amended at 48 FR 52737, Nov. 22, 1983]

#### § 5.69 Notification to the National Radio Astronomy Observatory.

In order to minimize possible harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, West Virginia, and at the Naval Radio Research Observatory site at Sugar Grove, Pendleton County, West Virginia, any applicant for a station authorization other than mobile, temporary base, temporary fixed, Personal Radio, Civil Air Patrol, or Amateur seeking a station license for a new station, a construction permit to construct a new station or to modify an existing station license in a manner which would change either the frequency, power, antenna height or directivity, or location of such a station within the area bounded by 39°15' N on the north, 78°30' W on the east, 37°30' N on the south and 80°30' W on the west shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P.O.

Box #2, Green Bank, West Virginia, 24944, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such applications, the Commission will allow a period of twenty (20) days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the twenty-day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

[42 FR 8329, Feb. 9, 1977]

### Subpart C—Technical Standards

#### § 5.101 Frequency stability.

If an applicant proposes to use a frequency tolerance greater than the tolerance set forth in the rules governing the service to which the frequencies are assigned in the Table of Frequency Allocations of part 2 of this chapter, the frequency tolerance should be provided as part of the filing in the application for a station license.

[48 FR 52738, Nov. 22, 1983]

#### § 5.102 Types of emission.

(a) Stations in the Experimental Radio Service may be authorized to use any of the classifications of emissions covered in part 2 of this chapter.

(b) [Reserved]

[28 FR 12506, Nov. 22, 1963, as amended at 48 FR 52737, Nov. 22, 1983]

#### § 5.103 Authorized bandwidth.

Each authorization issued to a station operating in this service will show, as the prefix to the emission classification, a figure specifying the maximum necessary bandwidth in kilohertz for the emission used. The authorized bandwidth is considered to be the occupied or necessary bandwidth